



Re: **Ex Parte**; Leap Wireless Petition for Limited Waiver and Brief Extension of the December 31, 2005 Deadline to Achieve Ninety-Five Percent Penetration of Location-Capable Handsets Among Its Subscribers; WT Docket No. 05-319; *Update and Supplemental Request for Conditional Relief*

On November 11, 2005, Leap Wireless International, Inc., on behalf of itself and its Cricket subsidiaries (collectively, "Leap") filed the above-referenced request for a limited waiver and extension of the requirement that Leap be in compliance with the ninety-five percent location-capable handset penetration requirement set forth in Section 20.18(g)(1)(v) of the Commission's rules. Leap requested that its compliance obligation be deferred until March 31, 2006, a time that it expected would allow it to reach the rule's required subscriber handset penetration.

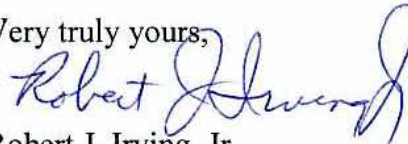
Today, pursuant to its 15th Quarterly Report, Leap reports that, as of April 26, 2006, 94.8% of Cricket customers had GPS-enabled handsets.¹ This was substantially the same penetration (approximately 94.5 percent) that existed as of March 31, 2006, the date of Leap's requested relief.

Leap believes that it is now in substantial compliance with the Commission's ninety-five percent penetration requirement. The purpose of this letter is to supplement Leap's pending waiver request with this data, and to request additional conditional relief if necessary.

To the extent the Commission agrees that Leap is now in substantial compliance with Section 20.18(g) (1) (v), its pending waiver request now may be moot. To the extent that the Commission nonetheless does not deem Leap to be in substantial compliance with the ninety-five percent penetration rule, Leap respectfully requests an additional extension of its requested relief through June 30, 2006, to ensure that the ninety-five percent requirement is exceeded by any measure.

Thank you for your consideration.

Very truly yours,



Robert J. Irving, Jr.
Senior Vice President and General Counsel
Leap Wireless International, Inc.

cc: James H. Barker, Esq.
David Siehl, FCC

¹ Leap Wireless International, Inc., 15th W911 Quarterly Report (May 1, 2006).